

PILLSBURY WINTHROP SHAW PITTMAN LLP

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re TREMONT SECURITIES LAW,
STATE LAW AND INSURANCE
LITIGATION

Master Docket No. 08-Civ-11117 (TPG)

F. DANIEL PRICKETT,

Plaintiff,

- against -

Civil Action No. 1:09-03137 (TPG)

NEW YORK LIFE INSURANCE
COMPANY, et al.,

Defendants.

DECLARATION OF MARIA T. GALENO

I, Maria T. Galeno, declare as follows:

1. I am a partner in the law firm Pillsbury Winthrop Shaw Pittman LLP, and counsel to Defendants New York Life Insurance Company ("New York Life") and New York Life Insurance and Annuity Corporation ("NYLIAC"). I make this declaration in support of the Memorandum in Support of Motion to Dismiss the Amended Complaint.

2. Attached hereto as Exhibit A is a true and correct copy of a NYLIAC Individual Variable Life Insurance Policy issued to F. Daniel Prickett dated May 12, 2003.

3. Attached hereto as Exhibit B is a true and correct copy of a NYLIAC Variable Life Insurance Policy Private Offering Memorandum issued to F. Daniel Prickett.

4. Attached hereto as Exhibit C is a true and correct copy of a Magnastar Fund Change and Investment Option Form for F. Daniel Prickett dated May 4, 2004.

5. Attached hereto as Exhibit D is a true and correct copy of the American Masters Opportunity Fund, L.P. Confidential Private Placement Memorandum dated January 1, 2001.

6. Attached hereto as Exhibit E is a true and correct copy of a Magnastar Flexible Premium Variable Life Insurance Application for F. Daniel Prickett dated April 25, 2003.

7. Attached hereto as Exhibit F is a true and correct copy of a Magnastar Purchaser Questionnaire and Agreement for F. Daniel Prickett dated April 25, 2003.

8. Attached hereto as Exhibit G is a true and correct copy of Memorandum of Decision and Order in *Barry Linton v. New York Life Insurance and Annuity Corporation*, Civil Action No. 04-11362-RWZ (D. Mass. Sept. 16, 2006).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
February 28, 2012

s/ Maria T. Galeno
Maria T. Galeno